



January 25, 2002

SENATE BILL No. 482

DIGEST OF SB 482 (Updated January 23, 2002 2:39 PM - DI 105)

Citations Affected: IC 35-42; noncode.

Synopsis: Child solicitation. Provides that a person commits child solicitation if the person solicits an individual whom the person believes to be less than 14 years of age to engage in sexual acts. Provides that, in a prosecution for child solicitation, the state is not required to prove that the person solicited the child to perform an illicit act at some immediate time.

Effective: July 1, 2002.

Bray, Waterman, Long, Zakas

January 14, 2002, read first time and referred to Committee on Judiciary.
January 24, 2002, reported favorably — Do Pass.

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SB 482—LS 7081/DI 106+



January 25, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 482

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-4-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. **(a) As used in this**
3 **section, "solicit" means to command, authorize, urge, incite,**
4 **request, or advise an individual:**

5 **(1) in person;**

6 **(2) by telephone;**

7 **(3) in writing;**

8 **(4) by using a computer network (as defined in**
9 **IC 35-43-2-3(a));**

10 **(5) by advertisement of any kind; or**

11 **(6) by any other means;**

12 **to perform an act described in subsection (b).**

13 **(b) A person eighteen (18) years of age or older who knowingly or**
14 **intentionally solicits a child under fourteen (14) years of age, or an**
15 **individual the person believes to be a child under fourteen (14)**
16 **years of age, to engage in:**

17 **(1) sexual intercourse;**

SB 482—LS 7081/DI 106+



1 (2) deviate sexual conduct; or
2 (3) any fondling or touching intended to arouse or satisfy the
3 sexual desires of either the child or the older person;
4 commits child solicitation, a Class D felony. However, the offense is
5 a Class C felony if it is committed by using a computer network (as
6 defined in IC 35-43-2-3(a)).

7 **(c) In a prosecution under this section, including a prosecution**
8 **for attempted solicitation, the state is not required to prove that the**
9 **person solicited the child to engage in an act described in**
10 **subsection (b) at some immediate time.**

11 SECTION 2. [EFFECTIVE JULY 1, 2002] IC 35-42-4-6, as
12 amended by this act, applies only to acts committed after June 30,
13 2002.

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SENATE MOTION

Mr. President: I move that Senator Waterman be added as coauthor of Senate Bill 482.

BRAY

SENATE MOTION

Mr. President: I move that Senators Long and Zakas be added as coauthors of Senate Bill 482.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 482, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 482 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SB 482—LS 7081/DI 106+

